

FILED

AUG - 3 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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Intel Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

KEVIN STOLTZ, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

INTEL CORPORATION, a Delaware
corporation,

Defendant.

No. C-05-2897-MHP

STIPULATION AND [PROPOSED]
ORDER TO CONTINUE FILING DATE
FOR DEFENDANT'S RESPONSE TO
PLAINTIFF'S COMPLAINT

IT IS STIPULATED BY AND BETWEEN THE PARTIES, THROUGH THEIR
COUNSEL AS FOLLOWS:

Pursuant to Civil Local Rule 6-2, Plaintiff Kevin Stoltz and Defendant Intel Corporation hereby stipulate that Intel Corporation's response to Plaintiff's complaint shall be due either 60 days after transfer of the above captioned case pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section 1407 or, in the alternative, 45 days after any such motion has been denied. The parties request this transfer because the plaintiffs in *Brauch, et al. v. Intel Corp.*, No. C 05-2743 (BZ) (N.D. Cal., filed July 5, 2005), a related matter,

STIPULATION AND [PROPOSED] ORDER TO CONTINUE RESPONSE DATE

1 have filed a petition to coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section
2 1407, and the above-styled action has been identified as a related action to that petition. As a
3 result, the outcome of the pending petition will impact significantly the schedule of this case.

4 This is the first stipulation between the parties. Because this litigation has just
5 begun, granting such a stipulation will not have any negative impact on the schedule of this case.

6 IT IS HEREBY STIPULATED.
7 DATED: July __, 2005

8 Bingham McCutchen LLP

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11 By: _____
12 JOY K. FUYUNO
13 Attorneys for Defendant
14 Intel Corporation

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15 Law Offices of Jeffrey F. Keller

16

17 By: _____
18 JEFFREY F. KELLER
19 Attorneys for Plaintiff
20 Kevin Stoltz

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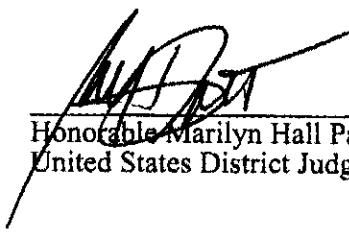
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[PROPOSED] ORDER TO CONTINUE DEFENDANT'S RESPONSE DATE

IT IS HEREBY ORDERED that Defendant Intel Corporation's response to Plaintiff's complaint shall be due either 60 days after transfer of the above captioned case pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section 1407, or, in the alternative, 45 days after any such motion has been denied.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 8/2, 2005


Honorable Marilyn Hall Patel
United States District Judge